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DOCKET NO: C1039.70079US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Arthur M. Krieg, et al.
Serial No: 10/627,413
Confirmation No:
Filed: July 25, 2003
For: METHODS FOR TREATING AND PREVENTING
INFECTIOUS DISEASE

Examiner: Not yet assigned
Art Unit: Not yet assigned

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450, on the 12 day of January, 2004.

Helen C. Lockhart
Helen C. Lockhart

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

TRANSMITTAL

Sir:

Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement;
- ☒ PTO Form 1449;
- ☒ Return Receipt Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No fee is enclosed. If there is a fee associated with this filing, then please charge the amount to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

Helen C. Lockhart

Helen C. Lockhart, Reg. No. 39,248
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Docket No. C1039.70079US00
Date: January 12 2004
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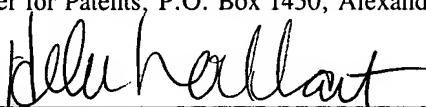
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Helen C. Lockhart, Ph.D., Reg. No. 39,248

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application (copies are not enclosed because copies were provided in parent application 09/630,319 to which the instant patent application claims the benefit of priority under 35 U.S.C. §120, except 09/630,319, a copy of which was provided in parent application 10/187,489 to which the instant patent application claims the benefit of priority under 35 U.S.C. §120))

| Docket Number | Serial Number | Filing Date | Inventor(s) |
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| C1037.70046US00 | 10/445,247 | 6/5/03 | Krieg |
| C1037.70048US00 | 10/644,052 | 8/19/03 | Krieg et al. |
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Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

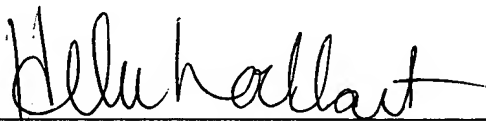
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Arthur M. Krieg, et al., *Applicant*

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Docket No. C1039.70079US00
Date: January 12, 2004
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JAN 14 2004

FORM PTO-1449/A and B (Modified)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

APPLICATION NO.: 10/627,413

ATTY. DOCKET NO.: C1039.70079US00

FILING DATE: July 25, 2003

CONFIRMATION NO.:

APPLICANT: Arthur M. Krieg, et al.

GROUP ART UNIT: Not yet assigned

EXAMINER: Not yet assigned

Sheet 1 of 10

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | APPLICATION NO.: 10/627,413 | | ATTY. DOCKET NO.: C1039.70079US00 | |
| | | | | FILING DATE: July 25, 2003 | | CONFIRMATION NO.: | |
| | | | | APPLICANT: Arthur M. Krieg, et al. | | | |
| | | | | GROUP ART UNIT: Not yet assigned | | EXAMINER: Not yet assigned | |
| Sheet | 2 | of | 10 | | | | |

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JAN 14 2004

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| Sheet | 3 | of | 10 | | | | |

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JAN 14 2004

FORM PTO 449/A and B (Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICATION NO.: 10/627,413

ATTY. DOCKET NO.: C1039.70079US00

FILING DATE: July 25, 2003

CONFIRMATION NO.:

APPLICANT: Arthur M. Krieg, et al.

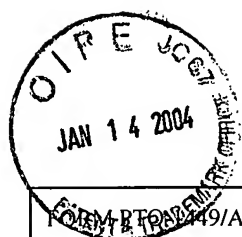
GROUP ART UNIT: Not yet assigned

EXAMINER: Not yet assigned

Sheet 4 of 10

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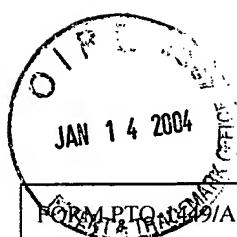
| Examiner's Initials | Cite No | Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published. | Translation (Y/N) |
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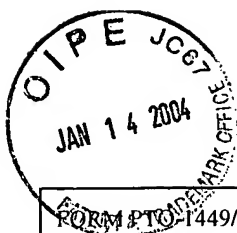
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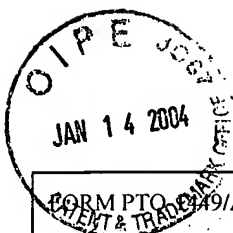
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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | APPLICATION NO.: 10/627,413 | | ATTY. DOCKET NO.: C1039.70079US00 | |
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| | | | | APPLICANT: Arthur M. Krieg, et al. | | | |
| | | | | GROUP ART UNIT: Not yet assigned | | EXAMINER: Not yet assigned | |
| Sheet | 10 | of | 10 | | | | |

OTHER ART — NON PATENT LITERATURE DOCUMENTS

| Examiner's Initials | Cite No | Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published. | Translation (Y/N) |
|------------------------|------------|---|----------------------|
| | * | ZIMMERMANN, S. et al., "CpG oligodeoxynucleotides trigger protective and curative Th1 responses in lethal murine leishmaniasis." <i>J Immunol</i> 160:3627-3630, 1998. | |

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| EXAMINER | DATE CONSIDERED |
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*a copy of this reference is not provided as it was previously cited by or submitted to the office in one of the following prior applications, Serial No. 08/386,063, filed 02/07/95, Serial No. 08/738,652, filed 10/30/96, Serial No. 08/960,774, filed 10/30/97, Serial No. 09/630,319, filed 7/31/00, or Serial No. 10/187,489, filed 7/2/2002 relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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